IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.46 OF 2007

IN

SUMMARY SUIT NO.2135 OF 2006

Vijaya Bank. ...Plaintiff.

vs.

1.Pawan J. Obhan & another ...Defendants.

Mr.S.R.Shetty, for Plaintiff.

Mr.V.C.Ghosalkar, for Defendants.

CORAM: D.K.DESHMUKH, J.

DATED: 6th MARCH,2007.

P.C.:

1. It is a bank's suit. The defendants have admittedly been served with the summons for judgment. There is no application made by them for leave to defend. Therefore, the defendants are not entitled to leave to defend. On the contrary as per the provisions of Order 37 of the Civil Procedure Code the plaintiff is entitled to judgment.

2. Heard the learned Counsel appearing for

plaintiff. Perused the record. Summons for judgment is granted. Suit of the plaintiff is decreed in terms of prayer clause (a) and (b). Refund of Court fees as per rules.